PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

To:

TABUSHI, Eiji
c/o Fujisawa Pharmaceutical
Co., Ltd. Osaka Factory
1-6, Kashima 2-chome, Yodogawa-ku
Osaka-shi, Osaka 532-8514
Japan

Date of mailing (day/month/year) 15 June 2004 (15.06.2004)	
Applicant's or agent's file reference PWO-24649 (佐々木)	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2004/005429	International filing date (day/month/year) 15 April 2004 (15.04.2004)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 22 April 2003 (22.04.2003)
Applicant FUJISAWA PHARMACEUTICAL CO., LTD. et al	

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).

2. (If applicable) The **letters "NR"** appearing in the right-hand column denote **a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau** under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, **the attention of the applicant is directed** to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

3. (If applicable) An **asterisk(*)** appearing next to a date of receipt, in the right-hand column, denotes **a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b)** (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
22 Apri 2003 (22.04.2003)	2003-117381	JP	10 June 2004 (10.06.2004)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.90.90

Authorized officer

Hammouda, Abdessalem

Telephone No. (41-22) 338 1

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2004/005429

A. CLASSIFICATION OF SUBJECT MATTER
Int.Cl[7] A61K45/00, A61K31/192, A61K31/426, A61P25/28, A61P25/16, A61P9/10, A61P21/00, A61P25/00, A61P25/02

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
Int.Cl[7] A61K45/00, A61K31/192, A61K31/426, A61P25/28, A61P25/16, A61P9/10, A61P21/00, A61P25/00, A61P25/02

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
CAP(STN), BIOSIS(STN), MEDLINE(STN), EMBASE(STN), WPI, JOIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X P,Y	WO 03/33493 A1 (NIPPON CHEMIPHAR CO.), 24 April, 2003 (24.04.03), Full text (Family: none)	1,7,11,14,15 1,3,4,7,9, 11-17
X Y	WO 02/100836 A2 (ACTIVE PASS PHARM. INC.), 19 December, 2002 (19.12.02), Full text; Claims; page 43, line 14 to page 46, the last line; examples & US 2003/125338 A & US 2003/191144 A & EP 1399426 A2	1,7,11,14,15 1,3,4,7,9, 11-17

☒ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
20 July, 2004 (20.07.04)	10 August, 2004 (10.08.04)
Name and mailing address of the ISA/ Japanese Patent Office	Authorized officer
Facsimile No.	Telephone No.

Form PCT/ISA/210 (second sheet) (January 2004)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2004/005429

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y	WO 02/28433 A2 (GLAXO GROUP LTD.), 11 April, 2002 (11.04.02), Full text; Claims; page 3, lines 11, 24 to 31; pages 21 to 24 & AU 2001/92044 B & US 2004/29938 A & JP 2004-510749 A	1,4,7,11, 13-15 1,3,4,7,9, 11-17
X Y	WO 99/4815 A1 (YAMANOUCHI PHARM. CO., LTD.), 04 February, 1999 (04.02.99), Full text; page 13, lines 4, 5; examples 1, 2 & AU 98/83559 B & EP 1023907 A1	1,3,7,11,12, 14,15 1,3,4,7,9, 11-17
X Y	JP 2001-354671 A (NIPPON CHEMIPHAR CO.), 25 December, 2001 (25.12.01), Full text; Claim 11; page 28, column 53, lines 5 to 6; example 10 & WO 01/79197 A1 & AU 2001/42747 B	1,7,11,14,15 1,3,4,7,9, 11-17
X Y	WO 03/16291 A1 (NIPPON CHEMIPHAR CO.), 27 February, 2003 (27.02.03), Full text; Claim 18; page 32, lines 10 to 11; examples 51 to 53	1,7,11,14,15 1,3,4,7,9, 11-17
X Y	WO 02/76957 A1 (NIPPON CHEMIPHAR CO.), 03 October, 2002 (03.10.02), Full text; page 17, lines 30 to 50; example 3 & EP 1371650 A1 & AU 2002/232243 B	1,7,11,14,15 1,3,4,7,9, 11-17
A	JP 2003-505058 A (The University of Dundee), 12 February, 2003 (12.02.03), Full text; Claims 9, 20, 22, 23; Par. Nos. [0011], [0014], [0045], [0046], [0054] & WO 01/7066 A2 & AU 2000/68259 B & EP 1200114 A2	1,3,4,7,9, 11-17
Y	PETERS, JM. et al., 'Growth, adipose, brain, and skin alterations resulting from targeted disruption of the mouse peroxisome prolifera tor-activated receptor β(δ).', Mol.Cell.Biol., (2000), Vol.20, No.14, pages 5119 to 5128, full text	1,3,4,7,9, 11-17
Y	SALUJA, I. et al., 'PPAR δ agonists stumulate oligodendrocyte differentiation in tissue culture.', Glia, (2001), Vol.33, No.3, pages 191 to 204, full text	1,3,4,7,9, 11-17
Y	BASU-MODAK, S. et al., 'Peroxisome proliferator-activated receptor β regulates acyl-CoA synthe tase 2 in reaggregated rat brain cell cultures.', J.Biol.Chem., (1999), Vol.274, No.50, pages 35881 to 35888, full text	1,3,4,7,9, 11-17

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2004/005429

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	JP 10-324626 A (Ono Pharmaceutical Co., Ltd.), 08 December, 1998 (08.12.98), Full text; Claims 8, 9; Par. Nos. [0021], [0035] & EP 632008 A1 & CA 2124784 A1 & JP 7-316092 A & JP 9-118644 A & JP 10-204023 A & US 6201021 A & US 2003/96802 A	1,3,4,7, 11-16
X	JP 2002-543124 A (Merck Patent GmbH.), 17 December, 2002 (17.12.02), Full text & WO 00/66110 A1 & AU 2000/47481 B & EP 1185259 A1 & US 6395780 A	1,3,4,7, 11-16
X	WO 01/39779 A1 (UCB S.A.), 07 June, 2001 (07.06.01), Full text & AU 2001/15241 B & EP 1244456 A1 & JP 2003-515564 A	1,3,4,7, 11-16
X	JP 2002-539245 A (SYNCHRONEURON, LLC.), 19 November, 2002 (19.11.02), Full text & WO 00/56301 A2 & AU 2000/38950 B & EP 1162960 A2 & US 6391922 A & US 2002/119912 A	1,3,4,7, 11-16
X	Megumi TAKAHASHI et al., 'Shorei Hokoku Valproic Acid Natrium ga Boryoku ni Yuko de atta Alzheimer-gata Chiho no 1 Rei', Brain and nerve, (1996), Vol.48, No.8, pages 757 to 760, full text	1,3,4,7, 11-16
A	LAMPEN, A. et al., 'New molecular bio-assays for the estimation of the teratogenic potency of valproic acid derivatives in vitro: activation of the peroxisomal proliferator-activated receptor (PPAR δ).', Toxicol.Appl.Pharmacol., (1999), Vol.160, No.3, pages 238 to 249	1,3,4,7, 11-16

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2004/005429

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.: 2, 5, 6, 8, 10
because they relate to subject matter not required to be searched by this Authority, namely:
Claims 2,5,6,8 and 10 involve embodiments for treatment of the human body by therapy and thus relate to a subject matter which this International Searching Authority is not required, under the provisions of Article 17(2)(a)(i) of the PCT and Rule 39.1(iv) of the Regulations under the PCT, to search.

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest.

☐ No protest accompanied the payment of additional search fees.

<Subject of search>

Claim 1 relates to a remedy containing, as the active ingredient, a compound defined by a desired property "a PPARδ agonist". Although claim 1 involves any compounds having this property, it is recognized that only small part of the claimed compounds are supported by the description in the meaning within PCT Article 6 and disclosed therein in the meaning within PCT Article 5.

Even though the common technical knowledge at the point of the application is considered, the scope of "PPARδ agonist" cannot be specified. Thus, claim 1 does not comply with the requirement of clearness in the meaning within PCT Article 6 too.

Such being the case, the search was made mainly on the relationship among the compounds specified in claims 9 and 17 and other compounds having been clarified as having a PPARδ agonist activity and effects of ameliorating any of the diseases as described in claim 1.